


KING & SPALDING

King & Spalding LLP
1180 Peachtree Street N.E. Ste. 1600
Atlanta, GA 30309-3521
Tel: +1 404 572 4600
Fax: +1 404 572 5100
www.kslaw.com

Phyllis B. Sumner
Partner
Direct Dial: +1 404 572 4799
Direct Fax: +1 404 572 5100
psumner@kslaw.com

September 25, 2019

VIA FILING 

The Honorable Judge Thomas W. Thrash, Jr.
U.S. District Court for the Northern District of Georgia

Re: Hiring of Matthew Rosenthal – Notice under Rule 1.12, Georgia Rule of Professional Conduct

In re Equifax, Inc., Customer Data Security Breach Litigation, No. 1:17-MD-2800-TWT

Dear Judge Thrash,

I write on behalf of King & Spalding and Matt Rosenthal to inform the Court that Mr. Rosenthal, who previously served as a law clerk with the U.S. District Court for the Northern District of Georgia from August 2017 through August 2019, is expected to begin as an associate at King & Spalding LLP starting on September 26, 2019.

Mr. Rosenthal has advised that, due to his service as a law clerk, he is conflicted from the above-referenced matter. Under Rule 1.12 of the Georgia Rules of Professional Conduct, Mr. Rosenthal is personally disqualified from representing any party in a matter in which he participated personally and substantially during his tenure as law clerk. To prevent imputed disqualification of other King & Spalding attorneys, Mr. Rosenthal will be screened starting on his first day at the firm from any participation in the matter and apportioned no part of the fees therefrom. This letter is submitted to provide written notice that King & Spalding LLP and Mr. Rosenthal are in compliance with Rule 1.12 of the Georgia Rules of Professional Conduct. King & Spalding will continue to represent its client Equifax and it may properly do so under Rule 1.12(c) because:

1. King & Spalding and Mr. Rosenthal have agreed that he will be timely screened from any form of participation in the above-referenced matter, and he will not be apportioned fees therefrom.

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2. The procedures being taken to screen Mr. Rosenthal from the matter is: (i) a prohibition against his speaking about the matter with or in the presence of any King & Spalding personnel; (ii) a prohibition against any of the King & Spalding personnel working on the matter from speaking about it in the presence of Mr. Rosenthal; (iii) a prohibition against Mr. Rosenthal from bringing to King & Spalding any documents, files, or materials in any form or medium about the matter; and (iv) a prohibition against Mr. Rosenthal accessing, reading, or reviewing any documents, files, or materials in any form or medium about the matter. King & Spalding will distribute to all personnel who are working on or in the future are added to the matter a written notification setting forth these prohibitions and their obligation to abide by them strictly.

By copy of this letter, I am notifying all parties to the matter of this ethical screen in compliance with Rule 1.12.

Respectfully,

/s/

Phyllis B. Sumner
Partner

PBS:mh